

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

This matter is before the court on the joint motion to continue by defendant Mario Balquier, Jr. (Balquier) and the government (Filing No. 21). The parties seek a continuance of the trial of this matter which is scheduled for September 11, 2006. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. The joint motion to continue trial (Filing No. 21) is granted.
2. Trial of this matter is re-scheduled for **October 30, 2006**, before Chief Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **September 6, 2006 and October 30, 2006**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 6th day of September, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge